

# **EVERGREEN**

## **COMMUNITY DEVELOPMENT DISTRICT**

**August 26, 2022**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

**Evergreen Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

August 19, 2022

Board of Supervisors  
Evergreen Community Development District

<b>ATTENDEES:</b> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.
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Dear Board Members:

The Board of Supervisors of the Evergreen Community Development District will hold a Regular Meeting on August 26, 2022 at 11:00 a.m., at the office of ZNS Engineering, 1023 Manatee Avenue W, Bradenton, Florida 34205 (7<sup>th</sup> Floor). The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Newly Appointed Supervisor, Nicholas Aparicio (*the following to be provided in separate package*)
  - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
  - B. Membership, Obligations and Responsibilities
  - C. Chapter 190, Florida Statutes
  - D. Financial Disclosure Forms
    - I. Form 1: Statement of Financial Interests
    - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
    - III. Form 1F: Final Statement of Financial Interests
  - E. Form 8B: Memorandum of Voting Conflict
4. Consideration of Acquisition of Master Infrastructure Improvements for a Not-to-Exceed Amount of \$330,109
5. CONSENT AGENDA ITEMS:
  - A. Acceptance of Unaudited Financial Statements as of July 31, 2022
  - B. Approval of August 5, 2022 Public Hearings and Regular Meeting Minutes
6. Staff Reports

- A. District Counsel: *Kutak Rock LLP*
- B. District Engineer: *ZNS Engineering, L.C.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*
  - NEXT MEETING DATE: October 7, 2022 at 11:00 a.m.
  - QUORUM CHECK

Ryan Zook	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Brian Janek	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Nicholas Aparicio	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Greg Mundell	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Hal Lutz	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 7. Board Members' Comments/Requests
- 8. Public Comments
- 9. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at 561-909-7930.

Sincerely,



Daniel Rom  
District Manager

TO ATTEND BY TELEPHONE  
**CALL-IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 528 064 2804**

**EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**5A**

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
JULY 31, 2022**

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
JULY 31, 2022**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 62,720	\$ -	\$ -	\$ 62,720
Investments				
Revenue	-	203,323	-	203,323
Reserve	-	577,100	-	577,100
Construction	-	-	330,109	330,109
Due from DR Horton	10,574	-	-	10,574
Total assets	<u>\$ 73,294</u>	<u>\$ 780,423</u>	<u>\$ 330,109</u>	<u>\$ 1,183,826</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Due to Landowner	\$ 1,732	\$ -	\$ -	\$ 1,732
Landowner advance	5,500	-	-	5,500
Total liabilities	<u>7,232</u>	<u>-</u>	<u>-</u>	<u>7,232</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred receipts	10,574	-	-	10,574
Total deferred inflows of resources	<u>10,574</u>	<u>-</u>	<u>-</u>	<u>10,574</u>
Fund balances:				
Restricted for				
Debt service	-	780,423	-	780,423
Capital projects	-	-	330,109	330,109
Committed				
Working capital	10,806	-	-	10,806
Unassigned	44,682	-	-	44,682
Total fund balances	<u>55,488</u>	<u>780,423</u>	<u>330,109</u>	<u>1,166,020</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 73,294</u>	<u>\$ 780,423</u>	<u>\$ 330,109</u>	<u>\$ 1,183,826</u>

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED JULY 31, 2022**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ -	\$ 49,719	\$ 49,704	100%
Assessment levy: off-roll	-	31,721	42,294	75%
Total revenues	<u>-</u>	<u>81,440</u>	<u>91,998</u>	89%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording	4,000	40,000	48,000	83%
Legal	1,960	5,851	15,000	39%
Engineering	-	-	1,500	0%
Engineering - stormwater reporting	1,575	1,575	-	N/A
Audit	3,450	3,450	5,100	68%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	83	833	1,000	83%
Trustee		3,750	4,500	83%
Telephone	17	166	200	83%
Postage	9	59	500	12%
Printing & binding	42	417	500	83%
Legal advertising	-	143	1,500	10%
Annual special district fee	-	175	175	100%
Insurance	-	5,435	5,776	94%
Contingencies/bank charges	13	108	500	22%
Website				
Hosting	-	705	705	100%
ADA compliance	-	210	210	100%
Total professional & administrative	<u>11,149</u>	<u>62,877</u>	<u>85,916</u>	73%
<b>Other fees &amp; charges</b>				
Property appraiser and tax collector	-	1,492	1,554	96%
Total other fees & charges	<u>-</u>	<u>1,492</u>	<u>1,554</u>	96%
Total expenditures	<u>11,149</u>	<u>64,369</u>	<u>87,470</u>	74%
Excess/(deficiency) of revenues over/(under) expenditures	(11,149)	17,071	4,528	
Fund balances - beginning	66,637	38,417	21,367	
Fund balance - ending				
Committed:				
Working capital	10,806	10,806	10,806	
Unassigned	44,682	44,682	15,089	
Fund balances - ending	<u>\$ 55,488</u>	<u>\$ 55,488</u>	<u>\$ 25,895</u>	

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2019  
FOR THE PERIOD ENDED JULY 31, 2022**

	Current Month	Year To Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ -	\$ 315,054	\$ 315,069	100%
Assessment levy: off-roll	-	99,150	271,399	37%
Interest	426	650	-	N/A
Total revenues	<u>426</u>	<u>414,854</u>	<u>586,468</u>	71%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	150,000	150,000	100%
Interest	-	423,569	423,569	100%
Total debt service	<u>-</u>	<u>573,569</u>	<u>573,569</u>	100%
<b>Other fees &amp; charges</b>				
Property appraiser & tax collector	-	9,452	9,846	96%
Total other fees and charges	<u>-</u>	<u>9,452</u>	<u>9,846</u>	96%
Total expenditures	<u>-</u>	<u>583,021</u>	<u>583,415</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	426	(168,167)	3,053	
<b>OTHER FINANCING SOURCES/(USES)</b>				
Transfer out	<u>(315)</u>	<u>(482)</u>	-	N/A
Total other financing sources	<u>(315)</u>	<u>(482)</u>	-	N/A
Net change in fund balances	111	(168,649)	3,053	
Fund balances - beginning	780,312	949,072	946,874	
Fund balances - ending	<u>\$ 780,423</u>	<u>\$ 780,423</u>	<u>\$ 949,927</u>	



**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND SERIES 2019  
FOR THE PERIOD ENDED JULY 31, 2022**

	Current Month	Year To Date
<b>REVENUES</b>		
Interest	\$ 180	\$ 275
Total revenues	180	275
<b>EXPENDITURES</b>		
Total expenditures	-	-
Excess/(deficiency) of revenues over/(under) expenditures	180	275
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	314	482
Total other financing sources/(uses)	314	482
Net change in fund balances	494	757
Fund balances - beginning	329,615	329,352
Fund balances - ending	\$ 330,109	\$ 330,109

**EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**5B**

**DRAFT**

**MINUTES OF MEETING  
EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Evergreen Community Development District held Multiple Public Hearings and a Regular Meeting on August 5, 2022 at 11:00 a.m., at the office of ZNS Engineering, 1023 Manatee Avenue W, Bradenton, Florida 34208 (7<sup>th</sup> Floor).

**Present were:**

Ryan Zook	Chair
Hal Lutz	Assistant Secretary
Greg Mundell	Assistant Secretary

**Also present were:**

Daniel Rom	District Manager
Tucker Mackie (via telephone)	District Counsel
Brian Janek	D.R. Horton

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Mr. Rom called the meeting to order at 11:35 a.m.

Supervisors Zook, Lutz and Mundell were present, in person. Supervisors Snyder and Mize were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor  
Anne Mize, SEAT 2 (Term Expires  
November 2022)**

Mr. Rom presented Ms. Anne Mize's resignation.

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**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the resignation of Ms. Anne Mize from Seat 2, was accepted.**

**FOURTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired Term of Seat 2**

Mr. Lutz nominated Mr. Brian Janek to fill Seat 2. No other nominations were made.

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, appointment of Mr. Brian Janek to fill Seat 2, was approved.**

- **Administration of Oath of Office to Newly Appointed Supervisor *(the following to be provided in separate package)***

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Janek. He provided and explained the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Chapter 190, Florida Statutes**
- D. Financial Disclosure Forms**
  - I. Form 1: Statement of Financial Interests**
  - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - III. Form 1F: Final Statement of Financial Interests**
- E. Form 8B: Memorandum of Voting Conflict**

**FIFTH ORDER OF BUSINESS**

**Acceptance of Resignation of Supervisor John Snyder, SEAT 3 *(Term Expires November 2022)***

Mr. Rom presented Mr. John Snyder’s resignation.

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**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the resignation of Mr. John Snyder from Seat 3, was accepted.**

**SIXTH ORDER OF BUSINESS**

**Consider Appointment to Fill Unexpired Term of Seat 3**

Mr. Lutz nominated Mr. Nicolas Aparicio to fill Seat 3. No other nominations were made.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, appointment of Mr. Nicolas Aparicio to fill Seat 3, was approved.**

- **Administration of Oath of Office to Newly Appointed Supervisor *(the following to be provided in separate package)***

As Mr. Aparicio was not present, the Oath of Office will be administered at another time.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-06, Designating Certain Officers of the District, and Providing for an Effective Date**

Mr. Rom presented Resolution 2022-06. Mr. Zook nominated the following slate of officers:

Chair	Ryan Zook
Vice Chair	Nicolas Aparicio
Secretary	Craig Wrathell
Assistant Secretary	Hal Lutz
Assistant Secretary	Greg Mundell
Assistant Secretary	Brian Janek
Assistant Secretary	Daniel Rom

No other nominations were made. Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

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**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, Resolution 2022-06, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date.**

**EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year 2022/2023 Budget**

**A. Proof/Affidavit of Publication**

The affidavit of publication was included for informational purposes.

**B. Consideration of Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Rom reviewed the proposed Fiscal Year 2023 budget.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Zook and seconded by Mr. Mundell, with all in favor, the Public Hearing was closed.**

Mr. Rom presented Resolution 2022-07 and read the title.

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, Resolution 2022-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

141 **NINTH ORDER OF BUSINESS**

142 **Consideration of Resolution 2022-08,**  
143 **Making a Determination of Benefit and**  
144 **Imposing Special Assessments for Fiscal**  
145 **Year 2022/2023; Providing for the**  
146 **Collection and Enforcement of Special**  
147 **Assessments, Including But Not Limited to**  
148 **Penalties and Interest Thereon; Certifying**  
149 **an Assessment Roll; Providing for**  
150 **Amendments to the Assessment Roll;**  
151 **Providing a Severability Clause; and**  
152 **Providing an Effective Date**

153 Mr. Rom presented Resolution 2022-08.

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155 **On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor,**  
156 **Resolution 2022-08, Making a Determination of Benefit and Imposing Special**  
157 **Assessments for Fiscal Year 2022/2023; Providing for the Collection and**  
158 **Enforcement of Special Assessments, Including But Not Limited to Penalties**  
159 **and Interest Thereon; Certifying an Assessment Roll; Providing for**  
160 **Amendments to the Assessment Roll; Providing a Severability Clause; and**  
161 **Providing an Effective Date, was adopted.**

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164 **TENTH ORDER OF BUSINESS**

165 **Presentation of Audited Financial Report**  
166 **for Fiscal Year Ended September 30, 2021,**  
167 **Prepared by Berger, Toombs, Elam, Gaines**  
168 **& Frank**

169 Mr. Rom presented the Audited Financial Report for the Fiscal Year Ended September  
170 30, 2021. There were no findings, deficiencies, irregularities or instances of noncompliance; it  
171 was a clean audit.

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173 **ELEVENTH ORDER OF BUSINESS**

174 **Consideration of Resolution 2022-09,**  
175 **Accepting the Audited Financial Report for**  
176 **the Fiscal Year Ended September 30, 2021**

177 Mr. Rom presented Resolution 2022-09.

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216 B. District Engineer: *ZNS Engineering, L.C.*

217 There was no report.

218 C. District Manager: *Wrathell, Hunt and Associates, LLC*

219 • NEXT MEETING: September 2, 2022 at 11:00 a.m.

220 ○ QUORUM CHECK

221 The next meeting will be on August 26, 2022, rather than on September 2, 2022.

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223 **SIXTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

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225 There were no Board Members' comments or requests.

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227 **SEVENTEENTH ORDER OF BUSINESS**

**Public Comments**

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229 There were no public comments.

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231 **EIGHTEENTH ORDER OF BUSINESS**

**Adjournment**

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234 **On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the**  
235 **meeting adjourned at 11:40 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

**EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

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**EVERGREEN COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE**

**LOCATION**

*offices of ZNS Engineering, 1023 Manatee Avenue W., Bradenton, Florida 34205 (7<sup>th</sup> Floor)*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 7, 2022</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>November 1, 2022</b>	<b>Landowners' Meeting</b>	<b>11:00 AM</b>
<b>November 4, 2022</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>December 2, 2022</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>January 6, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>February 3, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>March 3, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>April 7, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>May 5, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>June 2, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>July 7, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>August 4, 2023</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>11:00 AM</b>
<b>September 1, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>